

February 6, 2007

Mr. Scott called the workshop meeting of the Union Township Planning Board/Board of Adjustment to order at 7:00 p.m. The Sunshine Statement was read.

Members Present: Mr. Mazza, Mrs. Nargi, Mr. Martin, Mr. Brandt, Mr. Lukasik,
Mr. Kirkpatrick, Mr. Walchuk, Mr. Taibi, Mr. Scott,
Mr. Bischoff (7:05 p.m.) Absent for Roll Call

Members Absent: None

Others Present: Carl Hintz, Paul Ferriero, Robert O'Neil, Dan van Abs

Highlands Comments/Regional Master Plan: Mr. Scott said Messrs. O'Neill and van Abs would give an overview. Mr. Hintz had been asked by Mr. Bischoff to offer comments as well. Mr. Hintz said the Highlands consist of 859,000 acres in 88 municipalities in portions of seven counties. There two primary areas, preservation and planning. Mr. Hintz referenced a map showing those two areas in Union Township. He said a Land Use Capability Map has been prepared and the preservation and planning areas are divided into three identical areas called the Protection, Conservation and the Community Planned areas. Mr. Hintz said there are some issues with the designations of certain properties within the Township. Specifically, he said Foster Wheeler (FW) and Lookout Pointe are designated as sites without infrastructure. Mr. Hintz said he will be scheduling a meeting with the Highlands Council about issues. Mr. Hintz also said there are funds available for municipalities to update their zoning ordinances to be consistent with the Highlands Plan. The Township would need to apply for the funds. Mr. Hintz said there are a number of inconsistencies in the Highlands Plan. A Highlands Staff person is available to speak to municipalities. Mr. Hintz said he would check on the availability of that person to see when they could come to a Board Meeting/Committee Meeting or a combined meeting. Mr. Hintz said there are funds for Transfer of Development Rights.

Mr. Hintz said the Appellate Division made a ruling on COAH'S rules on the Growth Share Formula. He said the ruling may affect the Highlands Plan. Mr. Brandt asked Mr. Hintz about the issue of FW being shown in a Conservation Zone. He wanted to know if the Highlands Map was wrong or was construction being done in an area where it was not allowed. Mr. Hintz thought it was the former. Mr. van Abs said the regional mapping through the Highlands Council was done based on 2002 land use cover and aerial photos. He said anything that has been done since that time would not be reflected. Mr. van Abs said the Council is looking for municipalities to identify inconsistencies. Mr. Scott said he was less concerned with the parcels that are existing, underway or have approvals, than with major parcels that are not developed. Mr. Hintz said there is not a lot of land left that is open for development. Much of the land has been preserved.

Mr. van Abs said his role in coming to the Board is to apprise them of what can be provided in terms of technical advice. The NJWSA will not be submitting formal comments to the Highlands Council. Mr. van Abs had served as an on-loan Staff Person to the Council most of last year. He said the Highlands Plan addresses issues such as water availability and if existing development has stressed the resources. Mr. van Abs said over 100 of the 183 Watersheds are stressed out. He explained how the Highlands Council determines the stress level. Mr. van Abs said the Plan has a Policy Document, Technical Reports and as yet to be prepared is the Implementation part of the Plan.

Mr. van Abs said there is massive printed material. He suggested that the Board identify easy changes and focus on two or three other major hot topic issues. Mr. van Abs said he believes the Plan will change to where a new Public Comment process will be necessary. He explained the various funds that are available.

Susan Greenbaum: Block 23, Lot 2.01, 8 Route 173 West: Walnut Ridge Kennel Property: Ms. Greenbaum, owner of Barking Hills Country Club, Inc. gave an overview of her proposal to purchase and renovate the existing Kennel to include a small kennel, training center and membership dog park. She operates an in-house boarding kennel in Frenchtown and the Barking Hills Country Club Training Center on Route 22 in Lebanon, N.J. The property has three structures. There is a house, a kennel, and a kennel with an apartment above it which would probably be for a kennel helper. There is a very large barn. Ms. Greenbaum said the buildings are not in good shape. She would like to renovate the kennels, install a training space for her use and to continue to provide space for organizations they provide with space, including Dogs in Service and the Hunterdon County Dog Club. The proposed membership dog park would utilize about 2 to 2-1/2 acres. The kennel needs major renovation. The current residence would be kept for the use of the property manager. She would like to do in-house boarding for about six dogs.

Ms. Greenbaum understands that the requirement for a kennel is 10 acres and the property has less than that acreage. She said a variance would be required. Ms. Greenbaum sought guidance from the Board before proceeding further. Mr. Scott asked Ms. Greenbaum if the property owner knew she was coming to the Board. She replied in the affirmative. Ms. Greenbaum provided photographs of the site. Mr. Taibi asked Ms. Greenbaum her plans for the large house that was essentially fallen down. She said it would be renovated. She would like to use a section of the house for office space. The swimming pool would either be refurbished or filled in. The residence over the kennel would be kept. Mr. Scott had a question about COAH impact. Mr. Hintz said if the square footage did not increase there would be no increase. Mr. Kirkpatrick asked the number of runs. Ms. Greenbaum thought there are 16, with an additional 3 for isolation. She would like to have up to 25 runs. Ms. Greenbaum said there might be a basket of toys for sale at the reception desk. Mrs. Nargi asked about the kennel license. The license is issued annually. Ms. Greenbaum said there is Town water, there are two septic systems on site and they would have to be evaluated.

Dog waste would have to be removed from the site. Ms. Greenbaum explained the Membership Dog Park. She said it a Dog Park that people join. Records are kept showing inoculations and the dogs are screened for safety purposes. Ms. Greenbaum said ten would be the most dogs that would be at the Park at one time. Mr. Hintz read the regulations for kennels. "Keeping of more than 6 dogs that are more than 6 months old, minimum lot size 10 acres, animal shelter runway shall be located no closer than 300 feet to any residential building other than the owners, the number of dogs shall not exceed 25, parking no less than one off-street space for each employee, plus one space for every 8 animals". The property is 4.6 +/- acres. The property is in the PC District and is a permitted use. Mr. Brandt asked if the number of dogs would have to be scaled down, since the property is less than half the required acreage. Mr. Hintz said that would have to be addressed by the Board. Mr. Hintz said Ms. Greenbaum would have to bring a planner who could explain the rationale for a variance. He also said it would be a Planning Board matter. There is a pond on site. There is also a right-of-way through INO.

Mr. Scott asked Ms. Greenbaum if she had questions for the Board. Ms. Greenbaum said she would love to have the Board tell she could or could not proceed. She knew the Board could not do that. She was of the understanding that an expert should take a look at the proposal and additional information should be provided to the Board. Mr. Scott said he was not adverse to the proposal. He wanted to apprise her of certain issues that would arise. Mrs. Nargi said her concern was the size of the property and the number of dogs. Mrs. Nargi realized a certain number of dogs would be necessary to make the project financially feasible. She emphasized she was not opposed to the proposal.

Mr. Brandt said he is always receptive to hearing about any proposal to renovate a derelict property. His concern was about the magnitude of the proposal. Mr. Taibi concurred with Mr. Brandt. His concern was about the number of runs to make the project financially solvent, a planner would provide proofs the Board would need to grant a variance. Ms. Greenbaum expressed appreciation to the Board for listening to her proposal.

Correspondence: Pilot Travel Centers, LLC: Block 11, Lot 24.03, 68 Route 173

West: Mr. Mills said Pilot applied for a permit without obtaining permission from the owners. A second permit was applied for, again without obtaining permission from the owners. A site plan was not provided either. Therefore, the application was denied. Mr. Bischoff asked if an appeal might be forthcoming. Mr. Mills said that may happen. Mrs. Nargi asked if the application had been done correctly and was it an allowable use. Mr. Mills said the application was not correct. The proposed work was all inside. If Pilot got to a point where the use was being changed, the work would be stopped. Mr. Lukasik voiced a concern about the uses at the site.

Richard Brandt mentioned a deplorable situation in his neighborhood that has existed for many years. He said the matter has been resolved through the efforts of Mayor Mazza and Zoning Official Mills. Mr. Mills said he is working on a similar situation on Perryville Road. Mr. Mills gave an update on the Apgar property, Block 19, Lot 7, Driftway. Mr. Mills also apprised the Board about a barn that was constructed in Pattenburg that does not conform to Township regulations. Mr. Bischoff asked about the Charlestown Road situation. Mr. Mills said the logs have been removed. Most of the piles on the site are dirt.

Mr. Hintz brought up the issue of the Highlands and the new COAH ruling on Growth Share. The Board had a discussion on both of those issues and the implications to the Township. It was decided to place the Highlands matter (Planning Board action regarding the Highlands Regional Master Plan Draft) on the February 22, 2007 issue. Mr. Hintz said 30 minutes should be adequate. Mr. Bischoff said it should precede the Pilot Hearing since Mayor Mazza and Committeewoman Nargi recuse themselves before that Hearing. Mr. Hintz will prepare a report for the Board and Committee. Mrs. Nargi wanted the report to be provided to the Committee for their February 21, 2007 meeting.

Approval of Minutes: Messrs. Bischoff and Scott made some corrections. Mrs. Nargi made a motion to approve the minutes of the January 9, 2007 Reorganization and Workshop meetings, as corrected. Mr. Lukasik seconded the motion.

Vote: Ayes: Mrs. Nargi, Mr. Lukasik, Mr. Mazza, Mr. Martin, Mr. Walchuk
Mr. Taibi, Mr. Scott, Mr. Bischoff

Abstain: Mr. Brandt, Mr. Kirkpatrick

Motion to Adjourn: Mrs. Nargi made a motion to adjourn. Mr. Mazza seconded the motion. (8:50 p.m.)

Vote: All Ayes

Grace A. Kocher, Secretary

